

12-18-01

A

Attorney's Docket No.:  
020533.0437

PATENT  
APPLICATION

1

APPLICATION FOR U.S. PATENT UNDER 37 C.F.R. § 1.53(b)  
TRANSMITTAL FORM

BOX PATENT APPLICATION

Assistant Commissioner

For Patents

Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of:

In re Application of: Kevin S. Dibble, et al.

Date Filed: December 13, 2001

Title: NETWORK INTERFACE DEVICE AND METHOD

Enclosed are:

- ☒ Specification, Claims and Abstract ( 67 Total Pages)
- ☒ Drawing(s) ( 6 Total Sheet(s) of ☒ Formal ☐ Informal)
- ☒ Combined Declaration and Power of Attorney
  - ☒ Newly executed (original or copy)
  - ☐ Copy from a prior application (for continuation/divisional only)

☒ An Assignment of the invention to Efficient Networks, Inc. is attached. A separate cover sheet in compliance with 37 C.F.R. § 3.28 and § 3.31 is included with an Assignment recordal fee of \$40.00 pursuant to 37 C.F.R. § 1.21(h).

☐ Information Disclosure Statement (IDS) PTO-1449 (        page)  
       Copies of IDS Citations.

☐ Preliminary Amendment (        page)

☒ Non-Publication Request Under 35 U.S.C. 122(b)(2)(B)(i) ( 1 page)

☒ Certificate of Mailing

☒ Return Receipt Postcard

Applicant is:

☒ Large Entity

☐ Small Entity

☐ Small Entity Statement enclosed

☐ Small Entity Statement filed in prior application.

Status still proper and desired.

Express Mail Receipt: EL 759181369 US

12/13/01  
JC853 U.S. PTO

JC955 U.S. PTO  
10/017209  
10/13/01

10017209-121301

Attorney's Docket No.:  
020533.0437

PATENT  
APPLICATION

2

The accompanying application is:

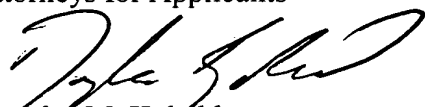
☒ Original.  
☐ Continuation ☐ Divisional ☐ Continuation-In-Part (CIP)  
of prior application No. \_\_\_\_\_ which is hereby incorporated by reference therein.

FEE CALCULATION					FEE
	Number		Number Extra	Rate	Basic Fee
					\$ 740.00
Total Claims:	29	29 - 20 =	9	9 X \$18 =	\$ 162.00
Independent Claims	6	6 - 3 =	3	3 X \$84 =	\$ 252.00
TOTAL FILING FEE =					\$1,154.00

☒ Enclosed is a check in the amount of **\$1,154.00** to satisfy filing fee requirements under 37 C.F. R. § 1.16.

☒ Please charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicants

  
Douglas M. Kubehl  
Reg. No. 41,915  
Date: December 13, 2001

Correspondence Address:  
Douglas M. Kubehl  
Baker Botts L.L.P.  
2001 Ross Avenue, Suite 600  
Dallas, Texas 75201-2980  
(214) 953-6486

10017209.121301  
FOI b6 b7C

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Kevin S. Dibble, et al.
	Title	Network Interface Device And Method
	Atty Docket Number	020533.0437

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

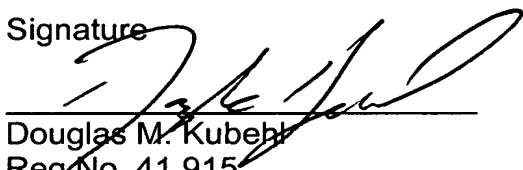
I hereby request that the attached application not be published under 35 U.S.C. 122(b).

BAKER BOTTS L.L.P.  
Attorneys for Applicants

December 13, 2001

Date

Signature

  
Douglas M. Kubeck  
Reg No. 41,915

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

10017209 124301  
FOETAT 6027001

Attorney's Docket No.:  
020533.0437

PATENT  
APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kevin S. Dibble, et al.  
Date Filed: December 13, 2001  
Title: NETWORK INTERFACE DEVICE AND METHOD

BOX PATENT APPLICATION

Honorable Commissioner of  
Patents and Trademarks  
Washington, DC 20231

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Patent Application (67 pages, including Specification, Claims and Abstract), Nonpublication Request (1 page), Declaration and Power of Attorney (6 pages), Formal Drawings (6 pages), Assignment Recordation Form and Assignment (7 pages), a check in the amount of \$40.00 to cover the Assignment recordal fee, Fee Transmittal Sheet (4 pages), a check in the amount of \$1,154.00 to cover the patent application filing fee, Baker Botts return post card (1 post card) and this Certificate of Mailing are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 13th day of December, 2001 and are addressed to the Honorable Commissioner for Patents, Washington, DC 20231.

  
Willie Jiles

Express Mail Receipt: EL 759181369 US  
Attorney's Docket No.: 020533.0437

100172009.121301  
T0E2F 6027001